

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

KENT PRUETT

Plaintiff,

vs.

**SHELBY COUNTY BOARD OF
EDUCATION and DORSEY E. HOPSON,
II**, in his official capacity as Superintendent of
the Shelby County Schools,

Defendants.

CIVIL ACTION NO. 2:13-cv-2905-JTF-dkv

CONSENT ORDER AND JUDGMENT

Final Resolution of this matter and controversy has been settled by and between the parties, and accepted by the Court, as reflected herein.

IT IS on this 3rd day of April, 2014, ORDERED AND ADJUDGED AS FOLLOWS:

1. This Court hereby declares that Shelby County Board of Education Policy 7002 provision that precludes “[t]he staging and/or disbanding of any protest march, demonstration, or like activity aimed or directed toward any segment of the community” is vague on its face, and further is unconstitutional as applied to Kent Pruett’s desired speech, violating rights guaranteed under the First and Fourteenth Amendments to the United States Constitution.
2. Defendants are hereby enjoined from applying the foregoing text of Shelby County Board of Education Policy 7002 to Kent Pruett and all others who wish to use Board facilities.
3. Defendants shall pay Plaintiff the amount of \$1.00 as nominal damages.

4. Plaintiff's claim for costs, including reasonable attorney fees and allowable expenses, will be determined by decision of the Court upon motion.

5. The Court retains jurisdiction of this case solely to enforce the terms of this consent judgment, and any other orders of the Court subsequent to this judgment.

IT IS SO ORDERED this 3rd day of April, 2014.

s/John T. Fowlkes, Jr.
JOHN T. FOWLKES, JR.
UNITED STATES DISTRICT JUDGE

WE HEREBY CONSENT TO THE FORM
AND ENTRY OF THE ABOVE ORDER:

s/ Nathan W. Kellum
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